



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

HD

7904

R97

A

900,105



1121
7704
1077
SOVIET RUSSIA PAMPHLETS

NO. 1

The Labor Laws of
Soviet Russia

Price 10 Cents

New York

The Russian Soviet Government Bureau

1920

SOVIET RUSSIA PAMPHLETS

This is the first of a series of reprints of important Soviet documents, taken from recent and forthcoming issues of SOVIET RUSSIA. We intend to add to this list from time to time.

I. *THE SOVIET LAWS OF LABOR*, with an introduction consisting of a criticism by Wm. G. Redfield, and an answer to the criticism. 40 pages, paper cover Price 10c

II. *THE SOVIET LAWS ON MARRIAGE AND FAMILY RELATIONS*, with an introduction. To appear about June 1, 1920. Approximately 64 pages, paper cover. Price 15c

III. *Not yet decided upon. Probably this will be a revised text of the Peace Treaty between Soviet Russia and Estonia.*

Special rates on these pamphlets when purchased in quantities; ask for special rates.

Address:

SOVIET RUSSIA

110 West Fortyeth Street

Room 304

NEW YORK CITY

The Code of Labor Laws of Soviet Russia

WITH AN ANSWER TO A CRITICISM BY
MR. WILLIAM C. REDFIELD



New York
The Russian Soviet Government Bureau,
Room 304, 110 West 40th St.
1920

H I
7904
R97

A NOTE ON THE TEXT OF THE LAWS

Owing to the suspension of regular communications with Soviet Russia, the Code of Labor Laws has reached us not in the Russian original, but in an imperfect English translation published at Petrograd by the People's Commissariat of Justice. We have endeavored, as far as possible, to improve the language of the official translation; we did not, however, feel at liberty to make any editorial changes affecting the subject-matter of the laws, where the language appeared to us ambiguous.

These laws and the introduction originally appeared in "Soviet Russia," the Laws in Vol. II, No. 8 (Feb. 21, 1920); the Criticism and Answer in Vol. II, No. 14 (April 3, 1920).

JAN 19 '45

INTRODUCTION

(A Criticism and an Answer)

**Criticism by President William C. Redfield, of the
American Russian Chamber of Commerce**

"In the issue of SOVIET RUSSIA for February 21st, the Soviet Bureau publishes in full the new code of Labor Laws of Soviet Russia. Ostensibly it is propaganda to impress American workmen with its advanced ideas as to the right to work, the eight-hour day, the protection of women and children in industry, and unemployment and disability insurance. As a matter of fact, however, it shows a state of affairs with reference to labor which is anything but enlightened. By it labor is put back into a state of serfdom and oppression the like of which has not been known for a century. If every American workman could read this labor code carefully he would be thoroughly disillusioned as to the claim that the Soviet Government of Russia is a workingman's government or that it has interested itself in the welfare of labor. It has, on the contrary, imposed a tyranny which has deprived labor of all the rights and privileges hitherto attained.

"In the first place, all citizens of Soviet Russia between sixteen and fifty who are not incapacitated by injury or illness are subject to compulsory labor. All laborers are divided into categories by the

1313

authorities and are subject to wage scales and labor conditions laid down by them. Every laborer must carry a labor booklet, which is like a passport. In it must be entered every payment he receives, the hours he works or is absent, the group and category to which he has been assigned by the Valuation Commission, and every other detail of his life and activity. A wage earner must present his booklet upon the request of any of the authorities or institutions.

"A wage earner is not permitted to change from one job to another except by the permission duly certified by the labor authorities, under whom he becomes virtually an industrial serf bound to his job. If a man wishes to quit work, he must secure a certificate from the bureau of medical experts proving his disability, and whether it is temporary or permanent. Leaves of absence may be granted by agreement between the management of enterprises and workmen's committees, but a wage earner shall not be allowed to work for remuneration during his leave of absence.

"No American workman should (would?) submit for a moment to such a tyrannical and oppressive system and a reading of this code shows clearly how far the autocracy at Moscow has gone in the direction of reaction and destruction of the liberty and right of the individual."

OUR ANSWER TO MR. REDFIELD

MR. REDFIELD is of opinion that under Soviet law "labor is put back into a state of serfdom and oppression the like of which has not been known for a century." The Soviet government has "imposed a tyranny which has deprived labor of all the rights and privileges hitherto attained." The laborer has become "virtually a serf bound to his job."

"A reading of this code shows clearly," exclaims Mr. Redfield, "how far the autocracy at Moscow has gone in the direction of reaction and destruction of the liberty and right of the individual." Mr. Redfield's indictment of the Soviet tyranny is set forth in five counts.

1. All able-bodied citizens of Soviet Russia between 16 and 50 are subject to compulsory labor.

2. All workers are classified by the authorities and are subject to wage scales and labor conditions laid down by the authorities.

3. A wage earner is not permitted to change from one job to another except by special permission of the labor authorities.

4. A wage earner is not allowed to work for pay during his leave of absence.

5. Every laborer must carry a labor booklet which is like a passport.

Let us examine each of these charges seriatim.

1. Mr. Redfield believes that "no American workman should (meaning: would) submit . . . to such a tyrannical and oppressive system." He seems to be unaware of the existence of vagrancy laws in most of the States of the Union, to say nothing of the laws enacted in many States during the late war, which require every able-bodied male to work a certain number of hours per week. The only difference between the American and the Soviet legislation on the subject is that under the laws of Soviet Russia the duty to work has its correlative in *the right to work*, whereas in the United States a worker who can find no employment may be sent to prison for vagrancy. ?

Has Mr. Redfield never heard of the chain gangs in the Southern States, where unemployed negroes are sentenced to prison terms for vagrancy and hired out by the authorities to private contractors to work on public roads? In Soviet Russia, under Section 10 of the Code of Labor Laws, "all citizens able to work have the right to employment at their vocations." This is not a mere theoretical right. Under Article III of the Code the right to work is enforced through the machinery of the Soviet Government. Every unemployed wage earner is furnished work by the Department of Labor Distribution. In case no work can be found for him he is entitled to an unemployed benefit which must be equal to his regular wages, fixed by the wage scale committee of his labor union. (Section 61 and Appendix to Section 79: Rules Concerning Unemployed and Payment of Subsidies, Sections 5 and 6.) X

Inasmuch as the Soviet Government undertakes to provide every unemployed with a job and to pay him an unemployment benefit if no employment can be found for him, the government requires every worker to accept employment at his own trade, provided the wages and terms of employment conform to union standards (Section 24). In case, however, no employment can be found for the worker at his own trade and work of a lower grade is offered to him, he is paid out of the unemployment fund the difference between the regular scale of his trade and the wages received by him at his temporary employment.

We strongly suspect that many an American union man might be inclined to submit to this form of "tyranny."

2. The workers are classified by the authorities and the wage scale is provided by the authorities for every class of work, objects Mr. Redfield. He seems to be ignorant of the fact that practically all "factories" (as defined by the United States Census Bureau) have been nationalized in Soviet Russia. In practice, then, this rule means that the government of Soviet Russia classifies its civil servants and fixes their compensation. ~~Is the former Secretary of Commerce unaware of the fact that the employees of the Government Printing Office and the Bureau of Engraving and Printing, at Washington, D. C., are classified by Congress, and that their salaries and wages are likewise fixed by Congress? Has he forgotten the existence of the War Labor Board, whose duty it was to adjust wages in private factories which were working on government contracts? Were not the wage earners in these~~

establishments also classified with the approval of the War Labor Board? Are not the employees of the United States Steel Corporation classified by the administration of the corporation? It was reported in the public press that Mr. Gary took exception to the workers' claim of a voice in the fixing of their wages.

Let us see, next, how wage scales are fixed in Soviet Russia. Under Sections 8 and 9 of the Code of Labor Laws the rules governing wages and conditions of employment in all establishments, whether public or private, are framed by the trade unions and approved by the People's Commissariat of Labor, which is the Russian equivalent of the American Department of Labor. "In cases where it is impossible to arrive at an understanding with ~~the directors or owners of establishments~~" the wage scales are drawn up by the trade unions and submitted for approval to the People's Commissariat of Labor. It is a matter of public knowledge that the spokesmen for the American employing class have only too frequently refused to confer with representatives of labor unions as to terms of employment. In Soviet Russia if the directors or owners of industrial establishments fail to come to terms with the union of their employees the controversy is decided by the Department of Labor of the Soviet government, which is chosen by the workers and the farmers.

3. Mr. Redfield claims that under the Soviet code of laws the wage earner may change from one job to another only by the express permission of the labor authorities. The wage earner is not permitted to quit work until his resignation is ac-

cepted. If he desires to quit his job the reasons for his resignation must be passed upon by the shop committee of the workers. If the shop committee, upon investigation, finds the resignation unjustified the wage earner must remain at work, but he may appeal from the decision of the shop committee to his trade union. The penalty provided for disobedience of this rule is forfeiture of unemployed benefits for one week. (Sections 51, 52, and 53.)

There is nothing in the rules to prevent him after that from registering with the Bureau of Labor Distribution which must provide him with another job.

It is needless to deny that as an abstract proposition these rules imply a curtailment of "the liberty and the right of the individual," as Mr. Redfield puts it. To be sure, in capitalistic countries the wage earner is at liberty to quit work at pleasure. He does it, however, at the peril of being forced to starve, to beg, or to steal. On the contrary, in Soviet Russia every worker who is out of a job is entitled to draw from the public treasury his regular wages until the government supplies him with another job. Is it not reasonable for the government, under such circumstances, to have a say as to whether the worker should quit his employment? The government exercises this power of supervision by delegating it to the shop-mates of the worker. Could Mr. Redfield suggest any arrangement that would be more favorable to the worker?

Suppose on the other hand every worker were at liberty to quit his job at pleasure and draw

upon the public treasury while he is out of a job? Would that not be a temptation for many a man to loaf at public expense?

It must be borne in mind, moreover, that this theoretical curtailment of the worker's right to quit his job at pleasure is compensated by the abolition of the employer's right to "fire" the worker at pleasure. Under Section 46 a worker may be discharged (1) in case of complete or partial liquidation of the enterprise, or of cancellation of certain orders, (2) in case of suspension of work for more than a month, (3) in case of evident unfitness of the worker for work. In all these cases the worker must be given two weeks' notice. (Section 47.)

The discharge of a workman for "evident unfitness" requires the approval of his trade union, and he may appeal from the order for his discharge to the local Bureau of Labor. Should the final decision be unfavorable to the worker he is entered on the lists of unemployed by the Department of Labor Distribution, which must furnish him with another job or pay him the regular unemployed benefit, (Section 47), which, as will be remembered, is equal to his wages.

The President of the American-Russian Chamber of Commerce is joined in his abhorrence of compulsory labor in Soviet Russia by the venerable President of the American Federation of Labor. We have it, however, on the authority of Mr. Lincoln Eyre, special correspondent of the *New York World*, in its issue of March 13, that the laws governing compulsory labor "originated with the unions" which according to his testimony, have been "empowered to regulate in concert with the Labor

Commissariat, all wage scales, working hours, and other matters relating to employment."

Final decision in all these matters, says Mr. Eyre, is vested in the government. "In practice, however, it is highly improbable that the Soviet administration would deny any of the powerful unions' demands unless they were fantastically exorbitant."

4. Mr. Redfield is grieved over the fact that in Soviet Russia a wage earner is not allowed to work for pay during his leave of absence, (Sections 106 and 107.) The Soviet laws assure to every wage earner one month's vacation in every year, provided that all time which he was unemployed and drawing his regular wage in the form of unemployed benefits is charged to his annual leave. If he were permitted to engage in work for pay during his vacation he would, in effect, be drawing double pay. A former Secretary of Commerce might be expected to know that under the departmental rules obtaining in Washington, D. C., no government employee is permitted to hold two positions and draw two salaries at the same time, even though he may do the work of one during the time of his annual leave. Thus the Soviet government has merely introduced in its institutions the rule which has been enforced in the United States government so long "that memory runneth not to the contrary."

There are very good reasons for this rule in Soviet Russia. In case of illness the government pays to the worker a sick benefit which is equal to his regular wages. (Appendix to Section 5, rules concerning payment of sick benefits subsidies to wage earners during illness, Sections 1, 2

X
and 3). In order that the worker may preserve his vitality the Soviet government grants him a month's leave so that he may rest during that time. It is quite proper for the government to expect that the worker shall avail himself of that rest. Moreover, inasmuch as the government must provide every able-bodied person with work or pay him an unemployed benefit, it would be unbusinesslike to permit one worker to draw double pay while others may have to be put on the list of the unemployed and draw unemployed benefits.

5. Last but not least is that labor booklet "which is like a passport," in which must be entered "every detail of his (the worker's) life and activity."

Reference to the rules concerning labor booklets, (Appendix to Section 80), shows that the entries in the booklet are confined to the following items:

1. Name and age of the worker.
2. Name and address of his trade union.
3. The occupational group to which he has been assigned by the wage scale committee of his union.
4. The work performed by him,—whether paid by the time or by the piece, as well as over-time, and all payments received by him as wages, or unemployed or sick benefits.
5. The time taken by him on account of his annual leave, as well as his sick leave.
6. All fines imposed upon him.

These are all the "details of his life and activity" that may be entered in his labor booklet. The President of the American-Russian Chamber of Commerce will probably be surprised to learn that the above rules concerning labor booklets are merely a reenactment, with improvements, of the Im-

perial law on the subject. The Industrial Code which is a portion of Vol. II, Part 2, of the Compiled Statutes of the Russian Empire, contain provisions relating to labor booklets in Sections 92, 136, 137 and following. Section 137 reads as follows:

"In the booklet of account must be entered, (1) the name, patronymic, and surname of the worker; (2) the term of employment and the term of his passport; (3) the amount of wages, specifying the methods of their computation and terms of payment; (4) the amount of rent for use by the worker of the dwellings, bath, etc., provided by the factory or mill; (5) other terms of employment which the contracting parties may deem necessary to enter in a booklet; (6) entries of the amounts earned, with a statement of the amount of fines imposed upon the worker, and the cause thereof; (7) an extract from the laws and rules of internal administration, defining the rights, duties, and responsibilities of the workers."

The plain object of the labor booklet is to furnish the worker, in case of dispute, with evidence of the work performed and pay received by him. Every one familiar with the labor situation in the United States knows that the calendars of the inferior courts in all industrial centers are crowded with wage cases. Quite frequently the worker is unable to prove his claim "by preponderance of evidence." In the court the employer's word is as good as the wage earner's word. The Russian law has made provision for it, so as to avoid endless litigation.

THE LABOR LAWS OF SOVIET RUSSIA

I. The Code of Labor Laws shall take effect from the moment of its publication in the *Compilation of Laws and Regulations of the Workmen's and Peasants' Government*. This Code must be extensively circulated among the working class of the country by all the local organs of the Soviet Government and be posted in a conspicuous place in all Soviet Institutions.

II. The regulations of the Code of Labor Laws shall apply to all persons receiving remuneration for their work and shall be obligatory for all enterprises, institutions and establishments (Soviet, public, private and domestic), as well as for all private employers exploiting labor.

III. All existing regulations of a general character and those hereafter to be issued in relation to labor, (orders of individual establishments, instructions, rules of internal management, etc.), as well as individual contracts and agreements, shall be valid only in so far as they do not conflict with this Code.

IV. All labor agreements previously entered into, as well as all those which will be entered into in the future, in so far as they contradict the regulations of this Code, shall not be considered valid or obligatory, either for the employees or for the employers.

V. In enterprises and establishments where the work is carried on in the form of organized co-operation (Section 6, Division (a) of the present Labor-Code) the wage earners must be allowed the widest possible self-government under the supervision of the Central Soviet authorities. On this basis alone can the working masses be successfully educated in the spirit of socialist and communal government.

VI. The labor conditions in the communal enterprises organized as well as supported by the Soviet institutions (agricultural and other communes) are regulated by special rules of the All-Russian Central Executive Committee and of the Council of People's Commissars, and by instructions of the People's Commissariats of Agriculture and Labor.

The labor conditions of farmers on land assigned them for cultivation are regulated by the Code of Rural Laws.

The labor conditions of independent artisans are regulated by special rules of the Commissariat of Labor.

ARTICLE I

On Compulsory Labor

1. All citizens of the Russian Socialist Federated Soviet Republic, with the exception stated in sections 2 and 3, shall be subject to compulsory labor.

2. The following persons shall be exempt from compulsory labor:

(a) Persons under 16 years of age;

(b) All persons over 50 years;

(c) Persons who have become incapacitated by injury or illness.

3. Temporarily exempt from compulsory labor are:

(a) Persons who are temporarily incapacitated owing to illness or injury, for a period necessary for their recovery;

(b) Women, for a period of 8 weeks before and 8 weeks after confinement.

4. All students shall be subject to compulsory labor at the schools.

5. The fact of permanent or temporary disability shall be certified after a medical examination by the Bureau of Medical Survey in the city, district or province, by the accident insurance office or its agencies, according to the place of residence of the person whose disability is to be certified.

Note I. Rules for the examination of disabled workmen are appended hereto.

Note II. Persons subject to compulsory labor but not engaged in useful public work may be summoned by the local Soviets for the execution of public work, on conditions determined by the Department of Labor in agreement with the local Soviets of trade unions.

6. Labor may be performed in the form of—

(a) Organized cooperation;

(b) Individual personal services;

(c) Individual special jobs.

7. Labor conditions in Government (Soviet) establishments shall be regulated by tariff rules approved by the Central Soviet authorities through the People's Commissariat of Labor.

8. Labor conditions in all establishments (Soviet, nationalized, public and private) shall be regulated by tariff rules drafted by the trade unions, in agreement with the directors or owners of establishments and enterprises, and approved by the People's Commissariat of Labor.

Note. In cases where it is impossible to arrive at an understanding with the directors or owners of establishments or enterprises, the tariff rules shall be drawn up by the trade unions and submitted for approval to the People's Commissariat of Labor.

9. Labor in the form of individual personal service or in the form of individual special jobs shall be regulated by tariff rules drafted by the respective trade unions and approved by the People's Commissariat of Labor.

ARTICLE II

The Right to Work

10. All citizens ~~able to work have the right to employment at their vocations and for remuneration fixed for such class of work.~~

Note. The District Exchange Bureaus of the Department of Labor Distribution may, by agreement with the respective unions, assign individual wage earners or groups of them to work at other trades if there is no demand for labor at the vocations of the persons in question.

11. The right to work belongs first of all to those who are subject to compulsory labor.

12. Of the classes exempt from compulsory labor, only those mentioned in subdivision "b" of section 2 shall have the right to work.

13. Those mentioned in subdivisions "a" and "c" of section 2 shall absolutely have no right to work, and those mentioned in section 3 shall temporarily have no right to work.

14. All persons of the female sex, and those of the male sex under 18 years of age, shall have no right to work during night time or in those branches of industry where the conditions of labor are especially hard or dangerous.

Note. A list of especially hard and health-endangering occupations shall be prepared by the Department of Labor Protection of the People's Commissariat of Labor, and shall be published in the month of January of each year in the *Compilation of Laws and Regulations of the Workmen's and Peasants' Government.*

ARTICLE III

Methods of Labor Distribution

15. The enforcement of the right to work shall be secured through the Department of Labor Distribution, through trade unions, and through all the institutions of the Russian Socialist Federated Soviet Republic.

16. The assignment of wage earners to work shall be effected through the Departments of Labor Distribution.

17. A wage earner may be summoned to work, save by the Departments of Labor Distribution, only when chosen for a position by a Soviet institution or enterprise.

18. Vacancies may be filled by election when the work offered requires political reliability or unusual special knowledge, for which the person elected is noted.

19. Persons engaged for work by election must register with the Department of Labor Distribution before they are accepted, but they shall not be subject to the rules concerning probation which are set forth in Article IV of the present Code.

20. Unemployed persons shall be assigned to work through the Departments of Labor Distribution in the manner stated in sections 21-30.

21. A wage earner who is not engaged in work at his vocation shall register with the local Department of Labor Distribution as unemployed.

22. Establishments and individuals in need of workers shall apply to the local Department of Labor Distribution or its division (Correspondence Bureau) stating the condition of the work offered as well as the requirements which the workmen must meet (trade, knowledge, experience).

23. The Department of Labor Distribution, on receipt of the application mentioned in section 22, shall assign the persons meeting the requirements thereof in the order determined by the same.

24. An unemployed person has no right to refuse an offer to work at his vocation, provided the working conditions conform with the standards fixed by the respective

tariff regulations, or in the absence of the same by the trade unions.

25. A wage worker assigned to work for a period of not more than two weeks, shall be considered unemployed, and shall not lose his place on the list of the Department of Labor Distribution.

26. Should the local Department of Labor Distribution have no workers on its lists meeting the stated requirements, the application shall be immediately sent to the District Exchange Bureau, and the establishment or individual offering the employment shall be simultaneously notified to this effect.

27. Whenever workers are required for work outside of their district, a roll-call of the unemployed registered with the Department of Labor Distribution shall take place, to ascertain who are willing to go; if a sufficient number of such should not be found, the Department of Labor Distribution shall assign the lacking number from among the unemployed in the order of their registration, provided that those who have dependents must not be given preference before single persons.

28. If in the Departments of Labor Distribution, within the limits of the district, there be no workmen meeting the requirements, the District Exchange Bureau has the right, upon agreement with the respective trade union, to send unemployed from another class approaching as nearly as possible the trade required.

29. ~~An unemployed person who is offered work outside his vocation shall be obliged to accept it, with the understanding, if he so desires, that this be only temporary, until he receives work at his vocation.~~

30. A wage earner who is working outside his vocation, and who has expressed the desire that this be only temporary, shall retain his place on the register of the Department of Labor Distribution until he secures work at his vocation.

31. Private individuals violating the rules of labor distribution set forth in this article shall be punished, by order of the local board of the Department of Labor Distribution, by a fine of not less than 300 rubles or by arrest for not less than one week. Soviet establishments and officials violating these rules of labor distribution shall be liable to criminal prosecution.

ARTICLE IV

Probation Period

32. Final acceptance of workers for permanent employment shall be preceded by a period of probation of not more than six days; in Soviet institutions the probation period shall be two weeks for unskilled and less responsible work and one month for skilled and responsible work.

33. According to the results of the probation the wage earner shall either be given a permanent appointment, or rejected with payment for the period of probation in accordance with the tariff rates.

34. The results of the probation (acceptance or rejection) shall be communicated to the Department of Labor Distribution.

35. Up to the expiration of the probation period, the wage earner shall be considered as unemployed, and shall retain his place on the eligible list of the Department of Labor Distribution.

36. A person who, after probation, has been rejected, may appeal from this decision to the union of which he is a member.

37. If the trade union deems the appeal mentioned in the preceding section justified, it shall enter into negotiations with the establishment or person who has rejected the wage earner, with the request that the complainant be accepted.

38. In case of failure of the negotiations mentioned in section 37, the matter shall be submitted to the local Department of Labor, whose decision shall be final and subject to no further appeal.

39. The Department of Labor may demand that the person or establishment who have without sufficient reason rejected a wage earner provide the latter with work. Furthermore, it may demand that the said person or establishment compensate the wage earner according to the tariff rates for the time lost between his rejection and final acceptance pursuant to the decision of the Department of Labor.

ARTICLE V

Transfer and Discharge of Wage Earners

40. Transfer of wage earners in all enterprises, establishments, or institutions employing paid labor is allowed only if required in the interest of the business and by the decision of the proper organ of management.

Note. This rule does not apply to work with private individuals employing paid labor, if the work is of the character mentioned in subdivisions "b" and "c" of Section 6.

41. The transfer of a wage earner to other work within the enterprise, establishment or institution where he is employed may be ordered by the management of said enterprise, establishment or institution.

42. The transfer of a wage earner to another enterprise, establishment or institution situated in the same or in another locality, may be ordered by the corresponding organ of management with the consent of the Department of Labor Distribution.

43. The order of the management for the transfer of a wage earner in accordance with Section 40 may be appealed from to the proper Department of Labor (local or district) by the interested individuals or organizations.

44. The decision of the Department of Labor in the matter of the transfer of a wage earner may be appealed from by the interested parties to the District Department of Labor or to the People's Commissariat of Labor, whose decision in the matter in dispute is final and not subject to further appeal.

45. In case of urgent public work the District Department of Labor may, in agreement with the respective trade unions and with the approval of the People's Commissariat of Labor, order the transfer of a whole group of wage earners from the organization where they are employed to another situated in the same or in a different locality, provided a sufficient number of volunteers for such work cannot be found.

46. The discharge of wage earners from an enterprise, establishment or institution where they have been employed is permissible in the following cases:

(a) In case of complete or partial liquidation of the enterprise, establishment or institution, or of cancellation of specific orders or work;

(b) In case of suspension of work for more than a month;

(c) Upon the expiration of the term of employment or the completion of the job, if the work was of a temporary character;

(d) In case of evident unfitness for work, by special decision of the management and subject to agreement with the respective trade unions;

(e) By request of the wage earner.

47. The management of the enterprise, establishment or institution where a wage earner is employed, or the person for whom a wage earner is working must give the wage earner two weeks' notice of the proposed discharge, for the reasons stated in subdivisions "a", "b" and "d" of section 46, notifying simultaneously the local Department of Labor Distribution.

48. A wage earner discharged for the reasons stated in subdivisions "a", "b" and "d" of Section 46 shall be considered unemployed and entered as such on the lists of the Department of Labor Distribution and shall continue to perform his work until the expiration of the term of two weeks mentioned in the preceding section.

49. The order to discharge an employee for the reasons stated in subdivisions "a", "b" and "d" of Section 46 may be appealed from by the interested persons to the Local Department of Labor.

50. The decision of the Local Department of Labor in the matter of discharge may be appealed from by either party to the District Department of Labor, whose decision on the question in dispute is final and not subject to further appeal.

51. Discharge by request of the wage earner from an enterprise, establishment or institution must be preceded by an examination of the reasons for the resignation by the respective organ of workmen's self-government (works and other committees).

Note. This rule does not apply to the resignation of a wage earner employed by an individual, if the work is of the character mentioned in subdivisions "b" and "c" of Section 6.

52. If the organ of workers' self-government (works or other committee) after investigating the reasons for the resignation finds the same unjustified the wage earner must remain at work, but may appeal from the decision of the committee to the proper trade union.

53. A wage earner who quits work contrary to the decision of the Committee made pursuant to Section 52, shall forfeit for one week the right to register with the Department of Labor Distribution.

54. Institutions and persons employing paid labor shall, whenever a wage earner quits work, inform thereof the Local Department of Labor Distribution and the trade union of which the wage earner is a member, stating the date and the reason thereof.

ARTICLE VI

Remuneration of Labor

55. The remuneration of wage earners for work in enterprises, establishments and institutions employing paid labor, and the particular conditions and manner of payment shall be fixed by tariffs worked out for each kind of labor in the manner described in Sections 7-9 of the present Code.

56. All institutions working out the tariff rates must comply with the provisions of this article of the Code of Labor Laws.

57. For the purpose of fixing the tariff rates and determining the standard rates of remuneration, all the wage earners of a trade shall be divided into groups and categories and a definite standard of remuneration shall be fixed for each of them.

58. The standard of remuneration fixed by the tariff rates must be at least sufficient to provide for the minimum living expenses as determined by the People's Commissariat of Labor for each district of the Russian Socialist Federated Soviet Republic and published in the *Compilation of Laws and Regulations of the Workmen's and Peasants' Government*.

59. In determining the standard of remuneration for each group and category attention shall be given to the kind of labor, the danger of the conditions under which the work is performed, the complexity and accuracy of the work, the degree of independence and responsibility as well as the standard of education and experience required for the performance of the work.

60. The remuneration of each wage earner shall be determined by his classification in a definite group and category.

61. The classification of wage earners into groups and categories within each branch of labor shall be done by special valuation commissions, local and central, established by the respective trade unions.

Note. The procedure of the valuation commissions shall be determined by the People's Commissariat of Labor.

62. The tariff regulations shall fix the standard of remuneration for a normal working day or for piece work, and particularly the remuneration for overtime work.

63. Remuneration for piecework shall be computed by dividing the daily tariff rate by the number of pieces constituting the production standard.

64. The standard of remuneration fixed for overtime work shall not exceed time and a half of the normal remuneration.

65. Excepting the remuneration paid for overtime work done in the same or in a different branch of labor, no additional remuneration in excess of the standard fixed for a given group and category shall be permitted, irrespective of the pretext and form under which it might be offered and whether it be paid in only one or in several places of employment.

66. Persons working in several places must state in which place of employment they desire to receive their pay.

67. Any person receiving excessive remuneration, in violation of Section 65, shall be liable to criminal prosecution for fraud, and the remuneration received in excess of the standard may be deducted from subsequent payments to such person.

68. From the remuneration of the wage earner may be deducted the excess remuneration received in violation of Section 65, and the remuneration earned by the wage earner during his vacation; deduction may also be made for cessation of work.

69. No other deductions, except those mentioned in Section 68, shall be permitted, irrespective of the form or pretext under which they might be made.

70. Payment of remuneration must not be made in advance.

71. If the work is permanent, payment for the same must be made periodically, at least once in every fortnight. Remuneration for temporary work and for special jobs, provided the same continue at least for two weeks, shall be paid immediately after the work has been completed.

72. Payments shall be made in money or in kind (lodgings, food supplies, etc.).

73. To make payments in kind special permission must be obtained from the Local Department of Labor which shall determine the rates jointly with the respective trade unions.

Note. The rates thus determined must be based on the standard prices fixed by the respective institutions of the Soviet authority (valuation commissions of the Commissariat of Victuals, Land and Housing Department, Price Committee, etc.).

74. Payments must be made during working hours.

75. Payments must be made at the place of work.

76. The wage earner shall be paid only for actual work done. If a cessation of work is caused during the working day by circumstances beyond the control of the wage earner (through accident or through the fault of the administration), he shall be paid for the time lost, on the basis of the daily tariff rates, if he be employed on time work, or on the basis of his average daily earnings if he be employed on piece work.

77. A wage earner shall be paid his wage during leave of absence (Sections 106-107).

78. During illness of a wage earner the remuneration due him shall be paid as a subsidy from the hospital fund.

Note. The manner of payment of the subsidy is fixed by rules appended hereto.

79. Unemployed shall receive a subsidy out of the fund for unemployed.

Note. Rules concerning unemployed and the payment of subsidies to them are appended hereto.

80. Every wage earner must have a labor booklet in which all matters pertaining to the work done by him, as well as the payments and subsidies received by him are to be entered.

Note. Rules regarding labor booklets for wage earners are appended hereto.

ARTICLE VII.

Working Hours

81. Working hours shall be regulated by rules made for each kind of labor, in the manner described in Sections 7-9 of the Present Code.

82. The rules relating to working hours must conform with the provisions of this article of the Code of Labor Laws.

83. A normal working day shall mean the time fixed by the tariff regulations for the production of a certain amount of work.

84. The duration of a normal working day must in no case exceed eight hours for day work and seven hours for night work.

85. The duration of a normal day must not exceed six hours: (a) for persons under 18 years of age, and (b) in especially hard or health-endangering branches of industry (note to Section 14 of the present Code).

86. During the normal working day time must be allowed for meals and for rest.

87. During recess machines, beltings and lathes must be stopped, unless this be impossible owing to technical conditions or in cases where these machines, beltings, etc., serve for ventilations, drainage, lighting, etc.

88. The time of recess fixed by Section 86 is not included in the working hours.

89. The recess must take place not later than four hours after the beginning of the working day, and must continue not less than a half hour and not more than two hours.

Note. Additional intermissions every three hours, and for not less than a half hour, must be allowed for working women who are nursing children.

90. The wage earners may use their free time at their own discretion. They shall be allowed during recess to leave the place of work.

91. In case the nature of the work requires a working day in excess of the normal, two or more shifts shall be engaged.

92. Where there are several shifts, each shift shall work the normal working hours; the change of shifts must take place during the time fixed by the rules of the internal management without interfering with the normal course of work.

93. As a general rule, work in excess of the normal hours (overtime work) shall not be permitted.

94. Overtime work may be permitted in the following exceptional cases:

(a) Where the work is necessary for the prevention of a public calamity or in case the existence of the Soviet Government of the Russian Socialist Federated Soviet Republic or human life is endangered;

(b) In emergency public work connected with water supply, lighting, sewerage or transportation, in case of accident or extraordinary interruption of their regular operation;

(c) When work has to be completed which owing to unforeseen or accidental delay due to technical conditions of production could not be completed during the normal working hours, if leaving the work unfinished would cause damage to materials or machinery;

(d) On repairs or renewal of machine parts or construction work, wherever necessary to prevent stoppage of work by a considerable number of wage earners.

95. In the case described in subdivision "c" of Section 94, overtime work is permissible only with the consent of the respective trade union.

96. For overtime work described in subdivision "d" of Section 94 permission must be obtained from the local labor inspection, in addition to the permit mentioned in the preceding section.

97. No females and no males under 18 years of age may do any overtime work.

98. The time spent on overtime work in the course of two consecutive days must not exceed 4 hours.

99. No overtime work shall be permitted to make up for a wage earner's tardiness in reporting at his place of work.

100. All overtime work done by a wage earner, as well as the remuneration received by him for the same, must be recorded in his labor booklet.

101. The total number of days on which overtime may be permitted in any enterprise, establishment or institution must not exceed 50 days per annum, including such days when even one wage earner worked overtime.

102. Every enterprise, establishment or institution must keep a special record book for overtime work.

103. All wage earners must be allowed a weekly uninterrupted rest of not less than 42 hours.

104. No work shall be done on specially designated holidays.

Note. Rules concerning holidays and days of weekly rest are appended hereto.

105. On the eve of rest days the normal working day shall be reduced by two hours.

Note. This section shall not apply to institutions and enterprises where the working day does not exceed six hours.

106. Every wage earner who has worked without interruption not less than six months shall be entitled to leave of absence for two weeks, irrespective of whether he worked in only one or in several enterprises, establishments or institutions.

107. Every wage earner who has worked without interruption not less than a year shall be entitled to leave of absence for one month, irrespective of whether he worked in only one or in several enterprises, establishments or institutions.

Note. Sections 106 and 107 shall take effect beginning January 1, 1919.

108. Leave of absence may be granted during the whole year, provided that the same does not interfere with the normal course of work in the enterprise, establishment or institution.

109. The time and order in which leave of absence may be granted shall be determined by agreement between the management of the enterprise, establishment or institution and proper self-government bodies of the wage earners (works and other committees).

110. A wage earner shall not be at liberty to work for remuneration during his leave of absence.

111. The remuneration of a wage earner earned during his leave of absence shall be deducted from his regular wages.

112. The absence of a wage earner from work caused by special circumstances and permitted by the manager shall not be counted as leave of absence; the wage earner shall not be paid for the working hours lost in such cases.

ARTICLE VIII

Methods to Assure Efficiency of Labor

113. In order to assure efficiency of labor, every wage earner working in an enterprise, establishment or institution (governmental, public or private) employing labor in the form of organized cooperation, as well as the administration of the enterprise, establishment or institution, shall strictly observe the rules of this article of the Code relative to standards of efficiency, output and rules of internal management.

114. Every wage earner must during a normal working day and under normal working conditions perform the standard amount of work fixed for the category and group in which he is enrolled.

Note. Normal conditions referred to in this section, shall mean:

- (a) Good condition of machines, lathes and accessories;
- (b) Timely delivery of materials and tools necessary for the performance of the work;
- (c) Good quality of materials and tools;
- (d) Proper hygienic and sanitary equipment of the building where the work is performed (necessary lighting, heating, etc.).

115. The standard output for wage earners of each trade and of each group and category shall be fixed by valuation commissions of the respective trade unions (Section 62).

116. In determining the standard output the valuation commission shall take into consideration the quantity of products usually turned out in the course of a normal working day and under normal technical conditions by the wage earners of the particular trade, group and category.

117. The production standards of output adopted by the valuation commission must be approved by the proper Department of Labor jointly with the Council of National Economy.

118. A wage earner systematically producing less than the fixed standard may be transferred by decision of the proper valuation commission to other work in the same group and category, or to a lower group or category, with a corresponding reduction of wages.

Note. The wage earner may appeal from the decision to transfer him to a lower group or category with a reduction of wages, to the local Department of Labor and from the decision of the latter to the District Department of Labor, whose decision shall be final and not subject to further appeal.

119. If a wage earner's failure to maintain the standard output be due to lack of good faith and to negligence on his part, he may be discharged in the manner set forth in subdivision "d" of Section 46 without the two weeks' notice prescribed by Section 47.

120. The Supreme Council of National Economy jointly with the People's Commissariat of Labor may direct a general increase or decrease of the standards of efficiency and output for all wage earners and for all enterprises, establishments and institutions of a given district.

121. In addition to the regulations of the present article relative to standards of efficiency and output in enterprises, establishments and institutions, efficiency of labor shall be secured by rules of internal management.

122. The rules of internal management in Soviet institutions shall be made by the organs of Soviet authority with the approval of the People's Commissariat of Labor or its local departments.

123. The rules of internal management in industrial enterprises and establishments (Soviet, nationalized, private and public) shall be made by the trade unions and certified by the proper Departments of Labor.

124. The rules of internal management must include clear, precise and, as far as possible, exhaustive directions in relation to—

(a) The general obligations of all wage earners (careful handling of all materials and tools, compliance with instructions of the managers regarding performance of work, observance of the fixed standard of working hours, etc.);

(b) The special duties of the wage earners of the particular branch of industry (careful handling of the fire in enterprises using inflammable materials, observance of special cleanliness in enterprises producing food products, etc.);

(c) The limits and manner of liability for breach of the duties mentioned above in subdivisions "a" and "b".

125. The enforcement of the rules of internal management in Soviet institutions is entrusted to the responsible managers.

126. The enforcement of the rules of internal management in industrial enterprises and establishments (Soviet, nationalized, public or private) is entrusted to the self-government bodies of the wage earners (works or similar committees).

ARTICLE IX

Protection of Labor

127. Protection of the life, health and labor of persons engaged in any economic activity is entrusted to the labor inspection, the technical inspectors and the representatives of sanitary inspection.

128. The labor inspection is under the jurisdiction of the People's Commissariat of Labor and its local branches (Departments of Labor) and is composed of elected labor inspectors.

129. Labor inspectors shall be elected by the Councils of Trade Unions.

Note I. The manner of election of labor inspectors shall be determined by the People's Commissariat of Labor.

Note II. In districts where there is no Council of Trade Unions, the Local Department of Labor shall summon a conference of representatives of the trade unions which shall elect the labor inspectors.

130. In performing the duties imposed upon them concerning the protection of the lives and health of wage earners the officers of labor inspection shall enforce the regulations of the present Code, and the decrees, instructions, orders and other acts of the Soviet authority intended to safeguard the lives and health of the workers.

131. For the attainment of the purposes stated in Section 130 the officers of labor inspection are authorized—

(a) To visit at any time of the day or night all the industrial enterprises of their districts and all places where work is carried on, as well as the buildings provided for the workmen by the enterprise (rooming houses, hospitals, asylums, baths, etc.);

(b) To require the managers of enterprises or establishments, as well as the elective officials of the wage earners (works and similar committees) of those enterprises or establishments in the management of

which they are participating, to produce all necessary books, records and information;

(c) To draw to the work of inspection representatives of the elective organizations of employees, as well as officials of the administration (managers, superintendents, foremen, etc.);

(d) To bring before the criminal court all violators of the regulations of the present Code, or of the decrees, instructions, orders and other acts of the Soviet authority intended to safeguard the lives and health of the wage earners;

(e) To assist the trade unions and works committees in their efforts to ameliorate the labor conditions in individual enterprises as well as in entire branches of industry.

132. The officers of labor inspection are authorized to adopt special measures, in addition to the measures mentioned in the preceding section, for the removal of conditions endangering the lives and health of workmen, even if such measures have not been provided for by any particular law or regulation, instructions or order of the People's Commissariat of Labor or of the Local Department of Labor.

Note. Upon taking special measures to safeguard the lives and health of wage earners, as authorized by the present section, the officers of inspection shall immediately report thereof to the Local Department of Labor, which may either approve these measures or reject them.

133. The scope and the forms of activity of the organs of labor inspection shall be determined by instructions and orders issued by the People's Commissariat of Labor.

134. The enforcement of the instructions, rules and regulations relating to safety is entrusted to the technical inspectors.

135. The technical inspectors shall be appointed by the Local Departments of Labor from among engineering specialists; these inspectors shall perform within the territory under their jurisdiction the duties prescribed by Section 131 of the present Code.

136. The technical inspectors shall be guided in their activity, besides the general regulations, by the instructions and orders of the People's Commissariat of Labor and by the instructions issued by the technical division of the Local Department of Labor.

137. The activity of the sanitary inspection shall be determined by instructions issued by the People's Commissariat of Health Protection jointly with the People's Commissariat of Labor.

APPENDIX TO SECTION 79

Rules Concerning Unemployed and Payment of Subsidies

1. "Unemployed" shall mean every citizen of the Russian Socialist Federated Soviet Republic subject to labor duty who is registered with the local Department of Labor Distribution as being out of work at his vocation or at the remuneration fixed by the proper tariff.

2. "Unemployed" shall likewise mean:

(a) Any person who has obtained employment for a term not exceeding two weeks (Section 25 of the present Code);

(b) Any person who is temporarily employed outside his vocation, until he shall obtain work at his vocation (Sections 29 and 30 of the present Code).

3. The rights of unemployed shall not be extended—

(a) To persons who in violation of Sections 21, 24 and 29 of the present Code, have evaded the labor duty, and refused work offered to them;

(b) To persons not registered as unemployed with the local Department of Labor Distribution (Section 21 of the present Code);

(c) To persons who have wilfully quit work, during the term specified in Section 53 of the present Code.

4. All persons described in Section 1 and subdivision "b" of Section 2 of these Rules shall be entitled to permanent employment (for a term exceeding two weeks) at their vocation in the order of priority determined by the list of the Department of Labor Distribution for each vocation.

5. Persons described in Section 1 and subdivision "b" of Section 2 of these Rules shall be entitled to a subsidy from the local fund for unemployed.

6. The subsidy to unemployed provided in Section 1 of the present Rules shall be equal to the remuneration fixed by the tariff for the group and category to which

the wage earner was assigned by the valuation commission (Section 61).

Note. In exceptional cases the People's Commissariat of Labor may reduce the unemployed subsidy to the minimum of living expenses as determined for the district in question.

7. A wage earner employed temporarily outside of his vocation (Subdivision "b" of Section 2 of these Rules) shall receive a subsidy equal to the difference between the remuneration fixed for the group and category in which he is enrolled and his actual remuneration, in case the latter be less than the former.

8. An unemployed who desires to avail himself of his right to a subsidy shall apply to the local fund for unemployed and shall present the following documents: (a) his registration card from the local Department of Labor Distribution; and (b) a certificate of the valuation commission showing his assignment to a definite group and category of wage earners.

9. Before paying the subsidy the local fund for unemployed shall ascertain, through the Department of Labor Distribution and the respective trade union, the extent of applicant's unemployment and the causes thereof, as well as the group and category to which he belongs.

10. The local fund for unemployed may for good reasons deny the application for a subsidy.

11. If an application is denied, the local fund for unemployed shall, within three days from the filing of the application, inform the applicant thereof.

12. The decision of the local fund for unemployed may within two weeks be appealed from by the interested parties to the local Department of Labor, and the decision of the latter may be appealed from to the District Department of Labor. The decision of the District Department of Labor shall be final and subject to no further appeal.

13. The payment of the subsidy to an unemployed shall commence only after he has actually been laid off, but not later than after the fourth day.

14. The subsidies shall be paid from the fund of unemployment insurance.

15. The fund of unemployment insurance shall be made up—

(a) from obligatory payments by all enterprises, establishments and institutions employing paid labor;

(b) from fines imposed for default in such payments;

(c) from casual payments.

16. The amount and the manner of collection of the payments and fines mentioned in Section 15 of these Rules shall be determined every year by a special order of the People's Commissariat of Labor.

APPENDIX TO SECTION 80

Rules Concerning Labor Booklets

1. Every citizen of the Russian Socialist Federated Soviet Republic, upon assignment to a definite group and category (Section 62 of the present Code), shall receive, free of charge, a labor booklet.

Note. The form of the labor booklets shall be worked out by the People's Commissariat of Labor.

2. Each wage earner, on entering the employment of an enterprise, establishment or institution employing paid labor, shall present his labor booklet to the management thereof, and on entering the employment of a private individual—to the latter.

Note. A copy of the labor booklet shall be kept by the management of the enterprise, establishment, institution or by the private individual by whom the wage earner is employed.

3. All work performed by a wage earner during the normal working day as well as piece work or overtime work, and all payments received by him as a wage earner (remuneration in money or in kind, subsidies from the unemployment and hospital funds), must be entered in his labor booklet.

Note. In the labor booklet must also be entered the leaves of absence and sick leave of the wage earner, as well as the fines imposed on him during and on account of his work.

4. Each entry in the labor booklet must be dated and signed by the person making the entry, and also by the wage earner (if the latter is literate), who thereby certifies the correctness of the entry.

5. The labor booklet shall contain:

(a) The name, surname and date of birth of the wage earner;

(b) The name and address of the trade union of which the wage earner is a member;

(c) The group and category to which the wage earner has been assigned by the valuation commission.

6. Upon the discharge of a wage earner, his labor booklet shall under no circumstances be withheld from him. Whenever an old booklet is replaced by a new one, the former shall be left in possession of the wage earner.

7. In case a wage earner loses his labor booklet, he shall be provided with a new one into which shall be copied all the entries of the lost booklet; in such a case a fee determined by the rules of internal management may be charged to the wage earner for the new booklet.

8. A wage earner must present his labor booklet upon the request:

(a) Of the managers of the enterprise, establishment or institution where he is employed;

(b) Of the Department of Labor Distribution;

(c) Of the trade unions;

(d) Of the officials of workmen's control and of labor protection;

(e) Of the insurance offices or institutions acting as such.

APPENDIX TO SECTION 5

Rules for the Determination of Disability for Work

1. Disability for work shall be determined by an examination of the applicant by the Bureau of Medical Experts, in urban districts, or by the provincial insurance offices, accident insurance offices or institutions acting as such.

Note. In case it be impossible to organize a Bureau of Medical Experts at any insurance office, such a Bureau may be organized at the Medical Sanitary Department of the local Soviet, provided, however, that the said Bureau shall be guided in its actions by the general rules and instructions for insurance offices.

2. The staff of the Bureau of Experts shall include:

- (a) Not less than three specialists in surgery;
- (b) Representatives of the Board of Directors of the office;
- (c) Sanitary mechanical engineers appointed by the Board of the office;
- (d) Representatives of the trade unions.

Note. The specialists in surgery on the staff of the Bureau shall be recommended by the medical sanitary department, with the consent of the Board of Directors, preferably from among the surgeons connected with the hospital fund, and shall be confirmed by a general meeting of the office.

3. During the examination of a person at the Bureau of the Medical Commission, all persons who have applied for the examination may be present.

4. An application for the determination of the loss of working ability may be made by any person or institution.

5. Applications for examination shall be made to the insurance office nearest to the residence of the person in question.

6. Examinations shall take place in a special room of the insurance office.

Note. If the person to be examined cannot be brought to the insurance office, owing to his condition, the examination may take place at his residence.

7. Every person who is to be examined at the Bureau of Medical Experts shall be informed by the respective insurance office of the day and hour set for the examination and of the location of the section of the Bureau of Medical Experts where the same is to take place.

8. The Bureau of Medical Experts may use all methods approved by medical science for determining disability for work.

9. The Bureau of Medical Experts shall keep detailed minutes of the conference meetings, and the record embodying the results of the examinations shall be signed by all members of the Bureau.

10. A person who has undergone an examination and has been found unfit for work shall receive a certificate from the Bureau of Medical Experts.

Note. A copy of the certificate shall be kept in the files of the Bureau.

11. The records as well as the certificates shall show whether the disability is of a permanent or temporary character. If the disability for work be temporary, the record and certificate shall show the date set for the second examination.

12. After the disability for work has been certified the proper insurance office shall inform thereof the Department of Social Insurance of the local Soviet, stating the name, surname and address of the person disabled, as well as the character of the disability (whether temporary or permanent).

13. The decision of the Bureau of Medical Experts certifying or denying the disability of the applicant may be appealed from by the interested parties to the People's Commissariat of Health Protection.

14. The People's Commissariat of Health Protection may either dismiss the appeal or issue an order for the re-examination of appellant by a new staff of the Bureau of Experts.

15. The decision of the new staff of the Bureau of Experts shall be final and subject to no further appeal.

16. Re-examinations to establish the recovery of working ability shall be conducted in the same manner as the first examination, with the observance of the regulations of the present Rules.

17. The expenses incurred in connection with the examination of an insured person shall be charged to the respective insurance office. The expenses incurred in connection with the examination of a person not insured shall be charged to the respective enterprise, establishment or institution.

18. The People's Commissariat of Labor may, if necessary, modify or amend the present Rules for the determination of disability for work.

RULES CONCERNING PAYMENT OF SICK BENEFITS (SUBSIDIES) TO WAGE EARNERS

1. Every wage earner shall receive in case of sickness a subsidy and medical aid from the local hospital fund of which he is a member.

Note I. Each person may be a member of only one insurance fund at a time.

Note II. A person who has been ill outside the district of the local hospital fund of which he is a member shall receive the subsidy from the hospital fund of the district in which he has been taken ill. All expenses thus incurred shall be charged to the hospital fund of which the particular person is a member.

2. The sick benefits shall be paid to a member of a hospital fund from the first day of his sickness until the day of his recovery, with the exception of those days during which he has worked and accordingly received remuneration from the enterprise, establishment or institution where he is employed.

3. The sick benefit shall be equal to the remuneration fixed for a wage earner of the respective group and category.

Note I. The group and category in which the wage earner is enrolled shall be ascertained by the local hospital fund through the Department of Labor Distribution or through the trade unions.

Note II. The subsidy for pregnant women and those lying-in shall be fixed by special regulations of the People's Commissariat of Labor.

Note III. In exceptional cases the People's Commissariat of Labor may reduce the subsidy to the minimum of living expenses as determined for the respective district.

4. Besides the subsidies, the hospital funds shall also provide for their members free medical aid of every kind (first aid, ambulatory treatment, home treatment, treatment in sanatoria or resorts, etc.).

Note. To secure medical aid any hospital fund may independently, or in conjunction with other local funds, organize and maintain its own ambulatories, hospitals, etc., as well as enter into agreements with individual physicians and establishments.

5. The resources of the local hospital funds shall be derived:

(a) From obligatory payments by enterprises, establishments and institutions (Soviet, public and private) employing paid labor;

(b) From fines for delay of payments;

(c) From profits on the investments of the funds;

(d) From casual payments.

Note. The resources of the local hospital funds shall be consolidated into one common fund of insurance against sickness.

6. The amount of the payments to local hospital funds by enterprises, establishments and institutions employing paid labor shall be periodically fixed by the People's Commissariat of Labor.

Note I. In case these obligatory payments be not paid within the time fixed by the local hospital funds, they shall be collected by the local Department of Labor; moreover, in addition to the sum due, a fine of 10 per cent. thereof shall be imposed for the benefit of the hospital fund.

Note II. In case the delay be due to the fault of the responsible managers of the particular enterprise, establishment, or institution, the fine shall be collected from the personal means of the latter.

7. The decision of the hospital funds may be appealed from within two weeks to the Department of Labor. The decision of the Department of Labor shall be final and subject to no further appeal.

8. The People's Commissariat of Labor may, whenever necessary, change or amend the foregoing rules concerning sick benefits to wage earners.

(An Editorial in SOVIET RUSSIA, April 3, 1920)

COMPULSORY labor appears to be considered in certain circles outside of Soviet Russia as a most deplorable invasion of the rights of the individual. Aside from the fact that in all countries economic necessity drives men very effectively to seek such forms of wage-slavery as may be accessible to them regardless of whether they are to their taste or not—it is surprising that anyone with any pretence to even liberal tendencies should feel in any way shocked at this inevitable development in the new society. Even very moderate thinkers, such as Edward Bellamy and William James, had thought of compulsory labor as a reasonable cure for the chaos in which some men were working themselves to death and others loafing away their time in fruitless, even dangerous idleness and dissipation.

What will the furious commentators on Soviet Russia's Labor Laws (concerning which we have an article in this issue of SOVIET RUSSIA) have to say when they read this unmistakable statement in Bellamy's "Looking Backward" (1887), a reply to a question as to whether labor service in the new commonwealth is obligatory for all?

"It is rather a matter of course than of compulsion," replied Dr. Leete. "It is regarded as so absolutely natural and reasonable that the idea of its being compulsory has ceased to be thought of. He would be thought to be an incredibly contemptible person who should need compulsion in such a case. Nevertheless, to speak of service being

